

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SHAW FAMILY ARCHIVES, LTD., EDITH :
MARCUS and META STEVENS, :
 :
Plaintiffs, : Case No. 05 Civ. 3939
 :
-against- :
 :
CMG WORLDWIDE, INC. and MARILYN : Hon. Colleen McMahon
MONROE LLC, :
 :
Defendants.

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NOTICE OF CROSS-MOTION

PLEASE TAKE NOTICE THAT upon Defendants / Consolidated Plaintiffs' Memorandum of Law and Combined Statement of Undisputed Facts, and the Declarations of Jonathan Neil Strauss, Barry I. Slotnick, David Strasberg, Mark Roesler, and Maureen Cloonan, all dated February 12, 2008, Defendants / Consolidated Plaintiffs Marilyn Monroe LLC will cross-move this Court, at 500 Pearl Street, New York, New York, 10007, at a time and date to be determined by the Court, for an order granting summary judgment on Defendants / Consolidated Plaintiffs' claim in Count 1 of their Third Amended Complaint for a declaration that Plaintiffs / Consolidated Defendants do not possess valid and enforceable copyrights to certain photographs of Marilyn Monroe taken by Sam Shaw that were either: (a) published prior to January 1, 1964, where no copyright renewals were obtained during the final year of the initial 28-year copyright term for such photographs; or (b) published prior to March 1, 1989, without the requisite copyright notice.

PLEASE TAKE FURTHER NOTICE THAT pursuant to the Court's Order dated February 8, 2008, Plaintiffs / Consolidated Defendants' opposition papers, if any, must be served

on or before February 29, 2008, and Defendants / Consolidated Plaintiffs' reply papers, if any, must be served on or before March 14, 2008.

Dated: New York, New York
February 12, 2008

LOEB & LOEB LLP

By: /s/
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